

## **REMARKS**

### **I. Introduction**

Claims 1-25 are pending in the current application. In the Office Action dated June 20, 2006, the Examiner rejected claims 1-25 on the ground of double patenting as being unpatentable over U.S. Pat. No. 6,665,390 and as being unpatentable over U.S. Pat. No. 6,134,311. Further, claims 1-13 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Additionally, claims 1-4 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,729,592 ("Frech") and claims 5-13, 15-20, and 22-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Frech in view of U.S. Pat. No. 6,055,424 ("Tornquist"). In the Amendment, claims 1, 5, 6, and 14-21 have been amended and claims 25-28 have been added. Applicant respectfully requests reconsideration and withdrawal of the rejections to the claims.

### **II. Double Patenting Rejection**

Claims 1-25 were rejected on the grounds of double patenting as being unpatentable over U.S. Pat. No. 6,665,390 and as being unpatentable over U.S. Pat. No. 6,134,311. Applicant will submit terminal disclaimers to overcome the double patenting rejections upon an indication by the Examiner that the pending claims are allowed absent the double patenting rejections.

### **III. Claim 1 Is Not Indefinite**

Claims 1-13 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner asserted that it is unclear in claim 1 as to whether Applicant is claiming one service node or two. In this Amendment, Applicant has amended claim 1. Applicant respectfully requests reconsideration.

#### **IV. Frech Does Not Anticipate Claim 1**

Amended independent claim 1 recites routing a call to a telephone number when a service control point determines the call has been previously treated at a services node based on an originating telephone number of the call. Frech fails to disclose at least this element.

Frech is directed to a calling party identification announcement service providing an announcement of a caller's name to a called party so that the called party may accept or reject a call. In the Office Action, the Examiner cited Figures 1 and 2 of Frech as anticipating claim 1. Figures 1 and 2 of Frech fail to disclose any type of action such as completing a call to a telephone number when a service control point determines that the call has been previously treated at a services node based on an originating telephone number of the call. For at least this reason, Frech, as contemplated by the Examiner, necessarily does not anticipate independent claim 1, or any claim that depends on claim 1. Applicant respectfully requests reconsideration.

#### **V. The Proposed Combinations Do Not Render Claim 1 Unpatentable**

Tornquist is directed to an intelligent terminal application protocol. In the Office Action, the Examiner cited Col. 121, lines 31-38 and Col. 122, line 58 – Col. 123, line 12 of Tornquist dealing with operations for a personal access service. Similar to Figures 1 and 2 of Frech, the cited portions of Tornquist fail to disclose at least routing a call to a telephone number when a service control point determines the call has been previously treated at a services node based on an originating telephone number of the call. For at least this reason, the proposed combinations of Frech and Tornquist as contemplated by the Examiner necessarily do not render independent claim 1, or any claim that depends on claim 1, unpatentable. Applicant respectfully requests reconsideration.

#### **VI. The Proposed Combinations Do Not Render Claim 14 Unpatentable**

Amended independent claim 14 recites a computer-readable storage medium comprising a set of instructions to direct a processor to perform the act of routing a call to a called party when a service control point determines that the call has been treated at the service node based on an originating telephone number of the call. As discussed

above, the cited portions of Frech and Tornquist fail to disclose at least this element. For at least this reason, the proposed combinations of Frech and Tornquist as contemplated by the Examiner necessarily do not render independent claim 14, or any claim that depends on claim 14, unpatentable.

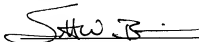
#### **VII. The Proposed Combinations Do Not Render Claim 21 Unpatentable**

Amended claim 21 recites a service switching point that is operative to route a call to a called party when a service control point determines the call has been treated at a services node based on an originating telephone number of the call. As discussed above, the cited portions of Frech and Tornquist fail to disclose at least this element. For at least this reason, the proposed combinations of Frech and Tornquist as contemplated by the Examiner necessarily do not render independent claim 21, or any claim that depends on claim 21, unpatentable.

#### **VIII. Conclusion**

In view of the foregoing amendments and remarks, Applicant submits that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this Amendment, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,

  
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